

Title 15 - Mississippi Department of Health

Part 20: Bureau of Public Water Supply

Subpart 72: Public Water Supply

CHAPTER 4. REGULATION GOVERNING DRINKING WATER QUALITY ANALYSIS FUND

Subchapter 1. General Provisions:

Rule 4.1.1. **Legal Authority.** This regulation has been promulgated under the authority of and pursuant to the Mississippi Safe Drinking Water Act of 1997 (Section 41-26-1 through Section 41-26-101, Mississippi Code of 1972, Annotated).

SOURCE: Miss. Code Ann. §41-26-23

Subchapter 2. Assessment and Collection of Fees

Rule 4.2.1. **Fees.** The department annually shall assess and collect fees for water quality analysis and related activities as required by the federal Safe Drinking Water Act, as amended, which shall not exceed Two Dollars and Eighty Cents (\$2.80) per connection or Forty Thousand Dollars (\$40,000.00) per system, whichever is less. The department annually shall adopt by rule, in accordance with the Administrative Procedures Law and following a public hearing, a fee schedule to cover all reasonable direct and indirect costs of water quality analysis and related activities as required by the federal Safe Drinking Water Act, as amended. In adopting a fee schedule, the department shall consider the recommendations of the advisory committee referenced in this section, if those recommendations are made in a timely manner as provided.

SOURCE: Miss. Code Ann. §41-26-23

Rule 4.2.2. **Advisory Committee.** An advisory committee is created to study the program needs and costs for the implementation of the water quality analysis program and to conduct an annual review of the needs and costs of administering that program. The annual review shall include an independent recommendation on an equitable fee schedule for the succeeding fiscal year. Each annual review report shall be due to the department by May 1. The advisory committee shall consist of one (1) member appointed by the Mississippi Rural Water Association, one (1) member appointed by the Mississippi Municipal Association, one (1) member appointed by the Mississippi Association of Supervisors and one (1) member appointed by the Mississippi Water and Pollution Control Operators Association, Inc.

SOURCE: Miss. Code Ann. §41-26-23

Rule 4.2.3. **Payments and Penalties.** All suppliers of water for which water quality analysis and related activities as required by the federal Safe Drinking Water Act, as

amended, are performed by the State Department of Health shall pay the water quality analysis fee within forty-five (45) days following receipt of an invoice from the department. In the discretion of the department, any supplier of water required to pay the fee shall be liable for a penalty equal to a maximum of two (2) times the amount of fees due and payable plus an amount necessary to reimburse the costs of delinquent fee collection for failure to pay the fee within ninety (90) days following the receipt of the invoice. Any person making sales to customers of water for residential, noncommercial or nonagricultural use and who recovers the fee required by this section or any portion thereof from any customer shall indicate on each statement rendered to customers that these fees are for water quality analyses required by the federal government under the Safe Drinking Water Act, as amended.

SOURCE: Miss. Code Ann. §41-26-23